

Notice of Allowability

Application No.

10/051,750

Examiner

Dah-Wei D Yuan

Applicant(s)

OPHARDT, HEINER

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/23/04.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☒ The drawings filed on 08 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

COMBINATION LIQUID DISPENSER AND ELECTROCHEMICAL CELL

Examiner: Yuan S.N. 10/051,750 Art Unit: 1745 August 10, 2004

Detailed Action

1. The Applicant's amendment filed on June 23, 2004 was received. Claims 1,16,18,23 were amended.
2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action on February 27, 2004.

Claim Rejections

3. The claim rejections under 35 U.S.C. 102(e) as anticipated by Nagura et al. on claims 1-9,11-15,17,27 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 102(e) as anticipated by Okaniwa on claims 1-9,11-15,17,27 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 103(a) as obvious over Nagura et al. on claim 10 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 103(a) as obvious over Nagura et al. and Dudfield et al. on claims 28,29 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 103(a) as obvious over Okaniwa on claim 10 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 103(a) as obvious over Okaniwa and Dudfield et al. on claims 28,29 are withdrawn because the independent claim 1 has been amended.

Reasons for Allowance

4. Claims 1-29 are allowed. The invention of independent claim 1 recites a fluid dispenser and an electrochemical cell, wherein the fluid dispenser comprising a reservoir containing a fluid to be dispensed, the reservoir being a collapsible reservoir which collapses as fuel is dispensed, the electrochemical cell comprising an electrolyte and two electrodes, the two electrodes eclectically coupled across the dispensing mechanism to provide current flow through the dispensing mechanism. The closest prior arts of record, Nagura et al. and Okaniwa, do not teach or suggest the reservoir is a collapsible reservoir which collapses as fuel is dispensed. The invention of independent claim 18 recites a fluid dispenser and an electrochemical cell, wherein the fluid dispenser comprising a reservoir containing a fluid to be dispensed, the reservoir being a collapsible reservoir which collapses as fuel is dispensed, the electrochemical cell comprising an electrolyte and two electrodes, the two electrodes eclectically coupled across the dispensing mechanism to provide current flow through the dispensing mechanism and the two electrodes and the electrolyte are all disposed within the reservoir. The closest prior arts of record, Nagura et al. and Okaniwa, do not teach or suggest the reservoir is a collapsible reservoir which collapses as fuel is dispensed and the two electrodes and the electrolyte are all disposed within the reservoir. The invention of independent claim 23 recites a fluid dispenser and an electrochemical cell, wherein the fluid dispenser comprising a reservoir containing a fluid to be dispensed, the reservoir being a collapsible reservoir which collapses as fuel is dispensed, the electrochemical cell comprising an electrolyte and two electrodes, the two electrodes eclectically coupled across the dispensing mechanism to provide current flow through the dispensing

mechanism, the reservoir having walls formed from flexible sheet material and at least one of the electrodes comprising a thin layer applied to a wall of the reservoir. The closest prior arts of record, Nagura et al. and Okaniwa, do not teach or suggest the reservoir is a collapsible reservoir which collapses as fuel is dispensed and the reservoir having walls formed from flexible sheet material and at least one of the electrodes comprising a thin layer applied to a wall of the reservoir.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dah-Wei D. Yuan whose telephone number is (571) 272-1295. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dah-Wei D. Yuan
August 10, 2004

A handwritten signature in black ink, appearing to read "Dahwei Yuan", with a long horizontal flourish extending to the right.